

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES ALONZO LEWIS,

Plaintiff,

Case No. 2:19-cv-183

v.

HONORABLE PAUL L. MALONEY

UNKNOWN KIENERT, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendant Kienert filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on July 24, 2020, recommending that this Court grant the motion and enter judgment.¹ The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 31) is ADOPTED as the Opinion of the Court. Specifically, the documents attached to the complaint show that Plaintiff pursued his grievance only through Step II and not through Step III. (PageID.170).

IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 17) is GRANTED.

¹ Defendants Ninnis, Unknown Nurse, Viitala, Hill, and Neubecker were dismissed by prior order (ECF No. 5).

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. See *McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: August 28, 2020

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge